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In re application of:

James HARTLEY

Appl. No. 09/666,890

Filed: September 20, 2000

For: NUCLEIC ACID MARKER LADDER  
FOR ESTIMATING MASS

Art Unit: 1645

Examiner: To Be Assigned

Atty. Docket: 0942.2570003/RWE/DRM

### Letter

Commissioner for Patents  
Washington, D.C. 20231

B  
Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Preliminary Amendment; and
2. One return postcard.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Donald R. McPhail  
Attorney for Applicants  
Registration No. 35,811

Date: 12/20/2000

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#3/B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Second Preliminary Amendment**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

B  
Prior to examination on the merits, please amend this application as follows. It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

***Amendments***

***In the Claims:***

✓ Please cancel claims 1-14 without prejudice or disclaimer thereof.

Please add the following new claims 15- 33:

B<sub>1</sub> Sub 7  
✓ CA  
--15. A nucleic acid marker ladder for determining the approximate mass of a nucleic acid in a sample, said ladder comprising at least 3 nucleic acid fragments, wherein the size of each of said fragments in base pairs is approximately a multiple of an integer.